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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,554	10/17/2003	Wilfried Kolbe	234/1/046	1164
170	7590	04/22/2005	EXAMINER	
RICHARD M. GOLDBERG 25 EAST SALEM SREEET SUITE 419 HACKENSACK, NJ 07601			CHAU, MINH H	
			ART UNIT	PAPER NUMBER
			2854	

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/688,554

Applicant(s)

KOLBE ET AL.

Examiner

Minh H. Chau

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 5-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5 and 8 is/are rejected.
- 7) ☒ Claim(s) 6, 7 and 9-12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/17/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claim 5** is rejected under 35 U.S.C. 102(b) as being anticipated by Kishine et al. (US # 5,937,756).

With respect to **claim 5**, Kishine et al. teach a printing press or a gravure printing process for a multi-stand gravure printing machine including a first printing unit (2a) containing an impression roller (4a) and a driven print cylinder (Fig. 2), and at least one additional printing unit (2b, 2c), each additional printing unit including an impression roller (4b, 4c) and a driven print cylinder (Fig. 2), the process comprising the steps of: actively driving the impression roller of the at least one additional printing unit and regulating the web tension of a web by a drive of the impression roller of the at least one additional printing unit (see Figs. 1-2 and cols. 3-4).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 8** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kishine et al. as applied to claim 5 above, in view of Durr et al. (US # 5,740,054)

With respect to **claim 8**, Kishine et al. teach all the limitation as explained above, except for the recitation of "regulating, during start-up, ... optical sensor"

Durr et al. teach a printing presses including regulating, during start-up, the rotational speed of the print cylinder in the at least one additional printing unit by an optical sensor (see cols 2-4 of Durr et al.)

In view of this teaching, it would have been obvious to one of skill in the art to modify the device of Kishine et al. to include regulating, during start-up, the rotational speed of the print cylinder in the at least one additional printing unit by an optical sensor as taught by Durr et al. so that registration of the rotational speed of the print cylinder in the printing unit can be achieved.

Allowable Subject Matter

3. **Claims 6-7 and 9-12** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter:

Claim 6 has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of Gravure printing process for a multi-

stand gravure printing machine including setting the web velocity, upon start-up of the gravure printing machine, when the print cylinders are brought to a uniform, regulated rotational speed, by a draw-in mechanism, and regulating the rotational speed of each driven impression roller such that a uniform web tension results in all printing units.

Claim 7 has been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of Gravure printing process for a multi-stand gravure printing machine including setting the web velocity, upon start-up, of the impression roller of the printing unit adjacent to a draw-in mechanism, and regulating the rotational speed of a draw-in mechanism and impression roller of the at least one additional printing unit, so that a uniform web tension results.

Claims 9 and 11 have been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of Gravure printing process for a multi-stand gravure printing machine including sustaining, during a run time, the rotational speeds of the impression rollers attained in the start-up, and making a reaction to departures from a uniform web tension with brief variations of a set speed of a driven impression roller from the rotational speed reached during start-up.

Claims 10 and 12 have been indicated for containing allowable subject matter because the prior art fails to teach the entire combination of Gravure printing process for a multi-stand gravure printing machine including sustaining, during a run time, the speeds of the print cylinders reached during start-up, and making a reaction to register errors with brief departures of a set speed from the speed reached during start-up.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicant attention is invited to the patents to Smithe et al. (US # 5,480,085), Tolle et al. (US # 5,386,772) and Kishine et al. (EP 914944A2).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh H. Chau whose telephone number is (571) 272-2156. The examiner can normally be reached on M - TH 9:30AM - 8:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHC
April 18, 2005


MINH CHAU
PRIMARY EXAMINER